

---

**DECLARATION AND POWER OF ATTORNEY**

**(FOR PATENT APPLICATION)**

---

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**COMPOSITIONS AND METHODS INVOLVING AN ESSENTIAL STAPHYLOCOCCUS  
AUREUS GENE AND ITS ENCODED PROTEIN**

the specification of which is attached hereto .

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do now know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose information, which is material to the examination of this application in accordance with Title 37 CFR § 1.56(a).

002101 2568950

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which prior is claimed:

Prior Foreign Application(s):

			Priority Claimed [ ] [ ]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>	
1.	60/110,992	3 December 1998	perfecting

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

	<u>Application Number</u>	<u>Filing Date</u>	<u>Status - patented, pending, abandoned</u>
1.	09/470,512	22 December 1999	pending
2.	09/407,804	28 September 1999	pending

#### POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

<b>APPOINTED PRACTITIONER(S)</b>	<b>REGISTRATION NUMBER(S)</b>
Kathleen M. Williams	34,380
Richard B. Smith	34,020
Elizabeth Neuman Spar	45,123
Paula Campbell Evans	32,503
Mark J. FitzGerald	45,928
John M. Garvey	37,833

002101 2566850

Address all correspondence to:

Kathleen M. Williams, Ph.D., Esquire  
**Palmer & Dodge, LLP**  
One Beacon Street  
Boston, MA 02108

Direct all telephone calls to Kathleen M. Williams, Ph.D., Esquire at (617) 573-0451)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Named Inventor:

\_\_\_\_\_  
Inventor's Signature Date: \_\_\_\_\_

Dr. Jerry Pelletier  
Residence: Canada  
Citizenship: Canada  
Post Office Address: 8 Lakeview, Baie-D'Urfe QC H9X 3 B1

Second Named Inventor:

\_\_\_\_\_  
Inventor's Signature Date: \_\_\_\_\_

Dr. Philippe Gros  
Residence: Canada  
Citizenship: Canada  
Post Office Address: 107 Montrose, St. Lambert QC J4R 1X4

Third Named Inventor:

\_\_\_\_\_  
Inventor's Signature Date: \_\_\_\_\_

Dr. Mike DuBow  
Residence: Canada  
Citizenship: Canada  
Post Office Address: 4901 Coolbrook, Montreal QC H3X 2K8